

Amendment and Response

Page 9 of 10

Serial No.: 09/647,475

Confirmation No.: 7111

Filed: August 20, 2001

For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIALS AND METHODS**Remarks**

The Office Action mailed December 2, 2003 has been received and reviewed. Claims 1-4, 11, 12, 14, 16, 18, and 22 having been amended, and claims 109 and 110 having been added, the pending claims are claims 1-24, 48, and 100-110. Reconsideration and withdrawal of the rejections are respectfully requested.

Each of the independent claims has been amended to clarify that the nonporous latex-derived material is formed by coalescence of latex derived polymer particles. Support for this amendment is at page 10, lines 21-22.

Each of the new claims is supported by the specification at page 9, lines 23-34, and Figure 16, for example.

The 35 U.S.C. §102 and §103 Rejections

The Examiner rejected claims 1, 2, 6, 7, 9-13, 15, 18, 22, 48, 100-105, and 107-108 under 35 U.S.C. §102(b) as being anticipated by Thiagarajan et al. (European Federation of Biotechnology, 1995, 304-312). The Examiner rejected claims 1, 4-10, 14-15, and 18-20 as being anticipated by Cantwell et al. (EP 0288203). The Examiner rejected claims 1-3, 6-22, 48, and 100-108 as being anticipated by Nova et al. (U.S. Patent No. 5,751,629). The Examiner rejected claims 23 and 24 under 35 U.S.C. §103(a) as being unpatentable over Nova et al. in view of Wagner et al. (U.S. Patent No. 6,475,808). These rejections are respectfully traversed.

None of the cited documents teach or suggest a biostructure that includes a nonporous latex-derived material that is formed by coalescence of latex derived polymer particles.

Amendment and Response

Page 10 of 10

Serial No.: 09/647,475

Confirmation No.: 7111

Filed: August 20, 2001

For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIALS AND METHODS**Summary**

It is respectfully submitted that the pending claims 1-24, 48, and 100-110 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
LYNGBERG et al.

By
Mueting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Phone: (612) 305-1220
Facsimile: (612) 305-1228
Customer Number 26813

Feb. 13, 2004
Date

AMM/skd/sjt

By: Ann M. Mueting
Ann M. Mueting
Reg. No. 33,977
Direct Dial (612) 305-1217

CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13 day of February, 2004, at 4:55 pm (Central Time).

By: Sue Dombroske
Name: Sue Dombroske